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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AM-GSR HOLDINGS, LLC., a Nevada Limited
Liability Company.

Plaintiff,

vs.

DARREN HUNG TRUONG, an individual; and
FLAGSTAR BANK, FSB,

Defendants.

Case No.: 3:17-cv-00344-RCJ-VPC

**STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

The Parties, by and through their undersigned counsel, do hereby stipulate and agree that the following shall constitute the discovery plan and scheduling order in this matter, pursuant to Fed. R. Civ. P. 26(f) and LR 26-1:

A. **Local rule 26-1 and Fed. R. Civ. P. 26(f) Conference:** On June 14, 2017, the Parties participated in a telephone conference to discuss issues required by LR 26-1 (b) and Fed. R. Civ. P. 26(f). H. Stan Johnson, Esq., of Cohen Johnson Parker Edwards, counsel for Plaintiff AM-GSR Holdings, LLC., ("AM-GSR"), and Brittany Wood, Esq., of Kolesar & Leatham, counsel for Defendant Flagstar Bank, FSB., ("Flagstar"), participated in the conference.

1. **Discovery Cut-Off Date:** Defendant Flagstar first appeared in this case by filing their Answer on June 1, 2017. Discovery shall close on June 14, 2018, 365 days from the date of the Rule 26(f) Conference.

2. **Statement Regarding Longer Discovery Period (LR 26-1(a)):** The Parties request a longer discovery period than set forth in LR 26-1(b)(1) because Defendant Flagstar anticipates, from its prior experience, that it will have difficulty obtaining the required records and documents from the companies and individuals involved in the foreclosure of the subject condo property. Flagstar also anticipates that it will require an extended period of time to depose these companies and individuals.
3. **Amending the Pleadings and Adding Parties:** All motions to amend the pleadings or to add parties shall be filed not later than March 16, 2018, ninety (90) days before the discovery cut-off date.
4. **Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):** Disclosures concerning experts shall be made by April 16, 2018, sixty (60) days before the discovery cut-off date. Disclosures of rebuttal experts shall be made by May 16, 2018, thirty (30) days after the initial disclosure of experts.
5. **Dispositive Motions:** The date for filing dispositive motions shall be no later than July 16, 2018, thirty (30) days after the discovery cut-off date.
6. **Pretrial Order:** The date for the filing of the joint pretrial order shall not be later than August 16, 2018, within thirty (30) days after the date set for filing dispositive motions. In the event that dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after decision on the dispositive motions or until further order of this Court. The parties shall include the disclosures required pursuant to Fed. R. Civ. P. 26(a)(3), and any objections thereto, within the pretrial order.

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7. **Interim Status Report:** The parties shall file the interim status report required by LR 26-3 by April 16, 2018, sixty (60) days before the discovery cut-off date.
8. **Alternative Dispute Management:** The parties certify that they met and conferred about the possibility of using alternative dispute-resolution processes including meditation, arbitration, and if applicable, early neutral evaluation. It was decided not to pursue these methods at this point.
9. **Alternative Forms of Case Disposition:** The parties certify that they considered consenting to trial by a magistrate judge under 28 USC 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial program. The parties decided against these alternatives.

B. **Fed. R. Civ. P. 26(f)(3) Scope of Discovery:** The Parties agree that there should be no changes in the timing, form or requirement for disclosures under Rule 26(a). Initial disclosures will be made June 28, 2017, fourteen (14) days after the Rule 26(f) conference.

1. The Parties agree that discovery should extend to the full extent allowed by the Federal Rules of Civil Procedure and that discovery should not be limited to any particular issue.
2. The Parties do not anticipate at this time that discovery will be required of electronically stored information, or, if required, will not be substantial or voluminous. As a result, the Parties agree that, to the extent there exists electronically stored information responsive to document requests at the time of the requests, it can be produced in hard copy and not native format.
3. The Parties currently do not have any issues regarding the disclosure or discovery of privilege or protection as trial-preparation materials.

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C. **Extensions or Modifications of the Discovery Plan and Scheduling Order:**

Pursuant to LR 26-4 governing modifications or extensions of this Discovery Plan and Scheduling Order, any stipulation or motion must be made no later than May 25, 2018, twenty (20) days before the discovery cut-off date and comply fully with LR 26-4.

D. **Settlement:** In accordance with Fed. R. Civ. P. 26(f), the Parties discussed

settlement but have not reached any agreement at this time.

E. **Later Appearing Parties:** A copy of this Discovery Plan and Scheduling Order

shall be served upon any person served after it is entered or, if additional defendants should appear, within five (5) days of their first appearance. This Discovery Plan and Scheduling Order shall apply to such later appearing parties, unless a stipulation of the parties is approved by the Court, or the Court, on motion for good cause shown, otherwise orders.

F. **Additional Information:** None.

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G. **Court Conference:** The Parties do not request a conference with the Court before the entry of this Scheduling Order.

COHEN JOHNSON PARKER EDWARDS

KOLESAR & LEATHAM

By: /s/ H. Stan Johnson

By: /s/ Brittany Wood

28th day of June, 2017

28th day of June, 2017

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Attorneys for Defendant Flagstar Bank, FSB

IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE

Dated: _____

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